



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 2993-00
3 October 2000

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 September 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by a Navy pulmonary physician dated 30 July 2000, a copy of which is attached, and the comments of your counsel.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. The Board was unable to conclude that your discharge and reenlistment code are erroneous or unjust. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official

records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure

**PULMONARY DIVISION
DEPARTMENT OF INTERNAL MEDICINE
NATIONAL NAVAL MEDICAL CENTER
8901 WISCONSIN AVENUE
BETHESDA MARYLAND 20889-5600**

**(301) 295-4217
Fax: (301) 295-2831**

In reply refer to:

**Docket No: 2993-00
30 July 2000**

**From: CDR [REDACTED] MC, USN
To: Chairman, Board for Corrections of Navy Records**

**Subj: APPLICATION FOR CORRECTION OF NAVAL RECORDS IN THE CASE OF
[REDACTED]**

**Encl: (1) BCNR File
(2) Service Record**

1. Enclosures (1) and (2) were reviewed as requested. [REDACTED] was seen and evaluated at Naval Hospital Great Lakes for dyspnea on exertion. In the evaluation he indicated on a survey form that he had asthma diagnosed at age 12. He also indicated that he had used albuterol, a bronchodilator to age 16 and had problems with exercise tolerance and occasional shortness of breath at night. His physical examination and baseline spirometry was normal. Methacholine challenge testing was negative for significant bronchoconstriction.
 2. The notes from his doctors are not particularly helpful. One said that he was treated three times for asthmatic bronchitis and did not have asthma unless acutely ill. The other said that he did not have a diagnosis of asthma "at this time."
 3. The physical examination and spirometry at Great Lakes did not support active asthma as the reason that he was unable to perform at the physical standards expected. It does appear from his comments that he was treated for asthma as a child and failed to disclose this information during the recruiting process. I suspect that he does have some mild airway hyperreactivity, based on the three episodes of treatment for "asthmatic bronchitis."
 4. In conclusion, the data from Great Lakes is inadequate to confirm a diagnosis of active asthma. His comments, however indicate that he was treated for asthma as a child and concealed this information during recruiting. I would recommend that his discharge not be modified. Please feel free to contact me at the address and telephone number listed above if you desire additional information or action on my part.
- [REDACTED]**